

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES of AMERICA                     )  
  )  
vs.    )     No. 05-CR-30020 MAP  
  )  
EDDIE SANTIAGO                                    )

**MOTION FOR DOWNWARD DEPARTURE**

Now comes the defendant, Eddie Santiago, by and through counsel and moves this Honorable court for a downward departure from the United States Sentencing Commission Guidelines, pursuant to 5H1.3, 5H1.4, 5H1.6, 5K2.0 and Title 18 U.S.C. § 3553 (b)(1), and as his basis, therefore, asserts the following;

1. The existence of mitigating circumstances 5K2.0(1)(A);
2. The existence of circumstances not adequately taken into consideration by the United States Sentencing Commission. 5K2.0(a)(A)(B);
3. Departure based upon circumstances present to a degree not adequately taken in to consideration by the United States Sentencing Commission; 5K2.0(3);
4. Departure based upon other circumstances not ordinarily relevant but present to an exceptional degree. 5K2.0(4)1, 5H1.3, 5H1.4, 5H1.6).

This motion is supported by an accompanying sentencing memorandum, and a supporting report to be submitted separately under seal.

Respectfully submitted,

DEFENDANT

BY: /s/ Vincent A. Bongionri, Esq.  
95 State Street - Suite #309  
Springfield, MA 01103  
(413) 732-0222  
BBO #049040

CERTIFICATE OF SERVICE

I, Vincent A. Bongionri, Esq., do hereby certify that I have served a copy of the foregoing via CM/ECF to the United States District Attorney, Federal Building & Courthouse, 1550 Main Street, Springfield, MA 01103 this 10 day of August 2007.

/s/ Vincent A. Bongionri